

REMARKS

Claims 141 – 157, 232, 234, 235, 240, 242 and 243 are now pending in the application, with claims 142, 149, 150 – 157 having been withdrawn. The remaining claims have been canceled. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 141, 143, 145 – 148, 158, 159, 161, 165, 167, 169, 173 and 232 – 247 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicants regard as the invention. The Examiner based this rejection on the position that the terms “being larger than smaller magnet wires used in an armature of the given size” as recited in claims 141 and 232, the terms “larger volume of magnet wires in the slots with the plastic than in an armature of the given size,” and the terms “being larger than smaller magnet wires used in an armature of a given size” are relative terms rendering the claims indefinite, asserting that the specification does not provide a standard for ascertaining the requisite degree. Applicants respectfully disagree, but to further prosecution, have amended independent claims 141, 232 and 240 to eliminate the recitation of these terms. Applicants submit that amended claims 141, 232 and 240 satisfy the requirements of Section 112, second paragraph, as do the claims that depend from them.

Applicants have canceled claims 143, 158, 159, 161, 165, 167, 169, 173 and 244 – 247.

REJECTION UNDER 35 U.S.C. § 102 & § 103

Claims 141, 143, 158, 159 and 167 stand rejected under 35 U.S.C. 102(b) based on Gstohl et al (US. 5,727,307). Claims 141, 143, 145 – 148, 158, 159, 161, 165, 167, 169, 173 and 232 – 247 also stand rejected under 35 U.S.C. § 103(a) based on Gstohl. Applicants have amended independent claims 141, 232 and 240, and submit that as amended, they are allowable over Gstohl et al. Applicants have canceled claims 143, 158, 159, 161, 165, 167, 169, 173, 233, 236 – 239, 241 and 244 - 247.

Turning first to amended independent claim 141, it is directed to a method for forming a given size armature to increase the power of an electric motor using that given size armature. It now recites, *inter alia*, molding plastic to at least partially encase the magnet wires in the plastic to hold them in place without using coil stays. It also now recites winding the magnet wires in the slots of the lamination stack includes winding them so that they also occupy portions of the slots that are occupied by coil stays in an armature having the same size as the given size armature where coil stays are used to hold the magnet wires in place in the slots. While Gstohl et al. discloses molding plastic around the magnet wires of the armature, it is silent about whether coil stays are used. More importantly, it makes no mention of winding the magnet wires in portions of the slots of the lamination stack that would otherwise be occupied by the coil stays. By winding the magnet wires in the portions of the slots that would otherwise be occupied by the coil stays, a larger volume of magnet wire can be wound in the slots. This allows the armature to be wound with the same number of turns of magnet wire but with larger diameter magnet wires. It also allows the armature to be wound with more

turns of the same size armature wire. Applicants submit that amended claim 141 is allowable over Gstoohl et al.

Amended independent claim 232 is directed to method for making an electric motor with a given size armature to increase the power of the electric motor using that given size armature. Amended independent claim 240 is directed to a method for making a power tool having an electric motor with a given size armature to increase the power of the electric motor using that given size armature. They both have been amended to include limitations comparable to those discussed with regard to amended independent claim 141 and are allowable over Gstoohl et al. for at least the reasons discussed with respect to amended independent claim 141.

ELECTION/RESTRICTIONS

The Examiner required that applicants cancel the non-elected claims (1 – 140, 142, 144, 149 – 157, 160, 162 – 164, 166, 168, 170 – 172 and 174 – 228) or take other appropriate action. Applicants have canceled all these claims except for claims 142, 149, 150 – 157. These claims depend, directly or indirectly, from independent claim 141. Applicants have therefore retained them for the purposes of representing them should independent claim 141 be allowed.

CONCLUSION

Applicants submit that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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